



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,205	06/17/2005	Benoit De Boursetty	102114.00033	2341

54975 7590 02/07/2008
HOLLAND & KNIGHT LLP
10 ST. JAMES AVENUE
11th Floor
BOSTON, MA 02116-3889

EXAMINER

YOUSSEF, ADEL Y

ART UNIT	PAPER NUMBER
----------	--------------

2618

MAIL DATE	DELIVERY MODE
-----------	---------------

02/07/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/539,205	Applicant(s) DE BOURSETTY ET AL.	
	Examiner ADEL YOUSSEF	Art Unit 4177	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the arguments filed on 11/28/2007. This action is made **FINAL**.

Response to Arguments

2. Applicant's arguments have been fully considered, but are not persuasive. Therefore, this action is made final.
3. The argued features, i.e., A method of communication between a first unit and a second unit via a telecommunications network, in which the first unit comprises applications belonging respectively to a first family and a second family having a priori a lower degree of confidence than the first family, the method comprising: forcing at least one request originating from an application of the second family, transmitted over the network to the second unit, to include a mark associated with the second family of applications read upon Gong as follows.
4. Therefore, Gong shows the limitation of "forcing at least one request originating from an application of the second family" Gong shows that request from applet (#54, see figure 3). Therefore, Gong shows the limitation of "transmitted over the network to the second unit, to include a

mark associated with the second family” Gong shows the applet is required signature to target server (#56, figure 3).

5. With regards to the specific argument of the applicant about the used references not teaching a mark associated (sign or ID) with another application family Gong shows the applet originating the request has been signed. If it is signed.

6. ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Gong et al (U.S. patents No: 6324574).

Regarding claim 1, Gong teaches a method of communication between a first unit (figure 1, #14) and a second unit (figure 1, #10) via a telecommunications network, in which the first unit comprises applications (figure1 # 21) belonging respectively to a first family (figure 1, #22) and a second family (figure 1, #24)

Art Unit: 4177

having a priori a lower degree of confidence than the first family, the method comprising: forcing at least one request originating from an application of the second family (figure 3, # 54 and 56), transmitted over the network to the second unit (figure 3, # 58), to include a mark associated with the second family of applications (figure 3, # 56) column 1, lines 55-65 and column 2, lines 40-65) Gong teaches two units (see figure 1, #12 and #14) they communicate by telecommunications network and the first unit #14 comprises first family (web browser application # 22), second family (applet application # 24) , the first family have the power to not allow any functions that's more confidence than the second family .

Regarding claim 2, Gong further teaches the method according to claim 1, wherein said mark is included in at least one request transmitted over the network and originating from an application of the second family (figure 3, # 54 and #56; column 4, lines 15-35, Gong teaches that the second family (applet application #24) sending request over the network required mark #56).

Regarding claim 3, Gong further teaches the method according to claim 1, wherein the mark, included in a request transmitted over the network and originating from an application of the second family, is forced to include an indication of the nature and/or origin of the said application of the second family (figure 3, # 54, #56 and #58; column 3, lines 1-25, and column 4, lines 15-35, Gong teaches that the second family (applet application #24) sending request

over the network required mark #56, if it didn't get signed will force to go to establish connection with relay server #60).

Regarding claim 4, Gong further teaches the method according to claim 3, wherein said application of the second family being signed, the mark included in the requests that originated therefrom is forced to include data relating to the certification of the signature (figure 3, # 54, #56 and #58; column 4, lines 15-35, Gong teaches that the second family (applet application #24) sending request over the network required signature #56).

Regarding claim 5, Gong further teaches the method according to claim 3, wherein the said application of the second family having been downloaded via the network from a download address, the mark included in the requests that originated therefrom is forced to include data relating to the download address of the application (column 4 lines 50-65 Gong teaches the second family downloaded via the network from a download address (network address) and, the second family (applet application #24) sending request over the network required signature #56).

Regarding claim 6, Gong further teaches a method of communication between a first unit (See Figure 1, # 4) and a second unit (See Figure 1, # 10) via a telecommunications network, in which the first unit comprises applications (See Figure 1, # 21) belonging respectively to a first family (See Figure 1, # 22) and

to a second family (See Figure 1, # 24) having a priori a lower degree of confidence than the first family, the method comprising: forcing at least one request originating from an application of the second family(See Figure 3, # 54 and 56), transmitted over the network to the second unit (See Figure 3, # 58), to exclude a mark associated with the first family, the said mark being included (See Figure 3, # 56) in at least some of the requests transmitted over the network and originating from applications of the first family. (Column 1, line 55-65 and column 2, lines 40 – 65; Gong teaches two unit they communicate by telecommunications (See Figure 1, # 12 and # 14)

Regarding claim 7, Gong further teaches the method according to claim 6 wherein the second unit examines whether the mark is present in a request received over the network from the first unit, to assess a degree of confidence to be attached to the said request.

(See Figure 3, # 54, # 56, and #58; column 4, lines 15-35) Gong teaches that the second unit (applet application # 24) sending request over the network required the mark # 56).

Regarding claim 8, Gong further teaches the method according the claim 7, wherein, when the mark is present the said request, the second unit also examines data included in this mark, to assess a degree of confidence to be attached to said request. (See Figure 1, second unit #12, relay server #20 and figure 3, #54, #58; column 2, lines 40-65 and column 4, lines 15-35, Gong

Art Unit: 4177

teaches that second unit (ISP server system #12, see figure 1) by receive request from applet # 54 examine data include mark (See Figure 3, # 56, 60, 62 and 64 sending request over the network required the mark #56).

Regarding claim 9, Gong further teaches the method according to claim 8, wherein said data examined by the second unit comprises data relating to the certification of a signature of the application from which the request originated. (See Figure 3, # 54, 56, and 58; column 4, lines 15-35) Gong teaches that the second unit (ISP server system #12) sending request over the network required signature #56).

Regarding claim 10, Gong further teaches the method according to claim 8, wherein said data examined by the second unit comprise data relating to a download address of the application from which the request originated. (Column 3, lines 52-66 and column 4, lines 50-66; Gong teaches that the second unit (ISP server system #12) comprise information relating to download network address and sending request over the network required signature #56).

Regarding claim 11, Gong further teaches the method according to claim 6, wherein the requests comprise HTTP requests, and the mark is inserted in the headers of the HTTP requests. (Column 2, lines 50-60; Gong teaches that web browser software (e.g., Netscape, Lynx, or Microsoft inter-net Explorer that's

equivalents of HTTP request).

Regarding claim 12, Gong further teaches the method according in which the requirement relating to the mark is controlled by a software layer belonging to a virtual machine (See Figure 3 # 54 and # 56) with which the first unit (See Figure 1 # 12) is provided, the applications of the second family (See Figure 3 #54) being able to access the network only via the virtual machine and the said software layer. (See Figure 1 # 20 and see Figure 3 #60; column 1 lines 40-66 and column 2 lines 1-15, 50-65) Gong teaches that the mark by two way, one-way by the web browser software (e.g., Netscape, Lynx, or Microsoft inter-net Explorer) and, the other way by Java applets.

Regarding claim 13, Gong further teaches the method according to claim 12, wherein the virtual machine is a Java virtual machine. (Column 2, lines 4-10 and 60-65; column 3, lines 35-40 Gong teaches that for security reasons, Java applets downloaded to the web server can only make socket connections back to the web server).

Regarding claim 14, Gong further teaches a communication terminal, comprising means for communicating with a second unit (Figure 1, #12) via telecommunications network, the communication terminal further comprising applications (See Figure 1, # 21) belonging respectively to a first family and a

second family having a priori a lower degree of confidence than the first family (Figure 1, # 22), wherein the means for communicating are adapted to force at least one request originating from an application of the second family(Figure 1, # 24), transmitted over the network to the second unit, to include a mark associated with the second family of applications. (Column 4, lines 15-35; Gong teaches that the second family (applet application # 24) sending request over the network required mark # 56, See Figure 3, # 54,and #56)

Regarding claim 15, Gong further teaches a communication terminal, comprising means for communicating with a second unit (Figure 1, #12) via a telecommunications network, the communication terminal further comprising applications (See Figure 1, # 21) belonging respectively to a first family (Figure 1, # 22) and a second family (Figure 1, # 24) having a priori a lower degree of confidence than the first family (column 2, lines 60-66, column 3, lines1-10; Gong teaches that browser #22 will not allow certain functions that's made applets lower degree) , wherein the means for communicating are adapted to force at least one request originating from an application of the second family, transmitted over the network to the second unit, to exclude a mark associated with the first family(See Figure 3, #54, #56,#58 and #60), the said mark being included in at least some of the requests transmitted over the network and originating from applications of the first family. (Column 4, lines 15-35; Gong teaches that the second family (applet application #24) sending at least one request over the network to the second unit, exclude mark associated with the first family (Figure

1, # 22).

Regarding claim 16, Gong further teaches the method according to claim 1, wherein each request originating from an application of the second family, transmitted over the network to the second unit, is forced to include a mark associated with the second family of applications. (Column 4, lines 15-35; Gong teaches that the second family (applet application #24; See Figures 1, and 3) (applet application #24) Gong teaches receive resource request from applet to include a mark #56 to the second unit #58.

Regarding claim 17 Gong teaches the method according to claim 6, wherein each request originating from an application of the second family, transmitted over the network to the second unit, is forced to exclude a mark associated with the first family. (Column 2, lines 55-66, column 2, lines 40-65, and Column 4, lines 15-35; See Figure 3, # 54, #56, and 58) Gong teaches receive resource request from applet to include a mark #56 to the second unit #58.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure Streble et al (PGPUB- No: 2004/0205119) teach a method for capturing content development data. The method includes formatting content development data received from a Web server at a client for transmission to a tracker application. The captured content development data may be used to analyze the effectiveness of Websites.

Philip et al (Patent No: US7185202) teach a system for obtaining an electronic signature from a browser. During operation, the system receives a request for an electronic signature for a document, wherein the request is received from an application in a standardized format that is independent of browser type and signing method. Next, the system reformats the request to be compatible with a given browser type and signing method, and then forwards the reformatted request to the browser to obtain an electronic signature for the document. Finally, the system receives the electronic signature from the browser and returns the electronic signature to the application.

Art Unit: 4177

Any response to this Office Action should be **faxed** to (571) 273-8300 or **mailed** to:

Commissioner for patents
P.O.Box1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adel Y. Youssef whose telephone number is 571-270-3525. The examiner can normally be reached on Monday to Thursday 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BENNY TIEU can be reached on 571-272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

Art Unit: 4177

(toll-free). If you would like assistance from a USPTO Customer Service


Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

ADEL YOUSSEF

UNIT#4177

01/25/2008



2-01-08

LANA LE
PRIMARY EXAMINER